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Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

**May 31, 2012**

**Re: Notice of *Ex Parte* Presentation**  
**MB Docket No. 09-182 – 2010 Quadrennial Review of Broadcast Ownership Rules**  
**MM Docket No. 99-25 – Creation of a Low Power Radio Service**  
**ET Docket No. 04-186 – Unlicensed Operation in the TV Broadcast Bands**  
**WC Docket No. 10-90 – Connect America Fund;**  
**WC Docket No. 06-122 – Universal Service Contribution Methodology**  
**WC Docket No. 11-42 – Lifeline and Link Up Modernization**  
**GN Docket No. 09-51 – National Broadband Plan**  
**GC Docket No. 10-43 – Amendment of *Ex Parte* Rules**

Dear Ms. Dortch,

On Tuesday, May 29, 2012, Free Press President and CEO Craig Aaron and Policy Director Matt Wood met with Commissioner Ajit Pai; his Chief of Staff, Matthew Berry; and his Acting Legal Advisor, Gene Fullano, regarding matters in the several above-captioned dockets.

At the outset of the meeting, we outlined Free Press's priorities before the Commission, explaining that the agency's decision-making benefits greatly from direct engagement with the public. We encouraged the Commissioner himself to participate in workshops, meetings, and hearings outside the beltway, expanding upon his already impressive commitment to serve the public interest through dialogue with all stakeholders and individuals interested in Commission proceedings. We suggested in particular that he and the other commissioners attend public hearings, outside of Washington, on rule changes proposed in the 2010 Media Ownership Quadrennial Review *Notice of Proposed Rulemaking* – following the good example for public engagement at the commissioner level that was set during the previous quadrennial review.

As to the substance of the NPRM issued in the 2010 review, we noted that changes to the current newspaper-broadcast cross ownership ban still are not justified by the record. Such combinations not only reduce the number of independent journalistic voices in a market, but also decrease the amount of news produced market-wide. Moreover, we explained that the Commission has to this point failed to assess the impact of any such rule changes on broadcast ownership opportunities for people of color and women. Likewise, it has failed to fulfill the Third Circuit's mandate to compile accurate data on licensee diversity, and then to address low levels of ownership by members of these underrepresented groups.

We voiced Free Press's ongoing support for effective implementation of the Local Community Radio Act, so as to create the greatest number of opportunities for truly local Low Power FM stations in every market. We stressed the need for the Commission to move expediently to decisions in that proceeding, yet to provide sufficient time for potential LPFM applicants to organize before the Commission opens a filing window.

Turning to spectrum policy, we commended the Commission for its continuing progress with TV White Spaces, including its authorization of various TVWS database providers' operations. We reiterated our view that the Commission can and must act to preserve unlicensed use in the TV band even after any incentive auction or repacking of TV channels. More generally, we stressed the need to strike the right balance between exclusive use and unlicensed use across the spectrum, indicating that shared use by increasingly smart radios will bring this resource to market more quickly and efficiently than clearing and auctioning. The Commission should foster sharing of the 1755-1850 MHz band, as well as other federal and commercial bands, either in lieu of clearing them or at least until any portions of this spectrum are auctioned.

On the broad topic of Universal Service Fund reform, we briefly restated Free Press's main concerns with the "Connect America Fund" order issued last year. While many implementation questions remain, we are alarmed about the prospect of increased burdens on telephone ratepayers in exchange for an altogether uncertain promise of lower wireless prices. Free Press has long held that real USF reform is impossible without a more accurate comparison of costs incurred by providers to the revenues they enjoy from all the services offer on supported networks: not just voice, but broadband and video too. We called for forward-looking reform of mechanisms including high-cost and Lifeline, advocating their use to improve broadband adoption and affordability, while controlling growth of the fund by eliminating unjustified support to carriers and antiquated advantages for incumbents. Finally, we cautioned against changes to contribution methodology that would expand the base to include broadband revenues, because this would lead to a net decrease in broadband adoption – the exact wrong result.

On the topic of *ex parte* reform, we referenced our comments submitted in response to the Commission's *Further Notice*, in which Free Press called for disclosure of the real parties in interest either writing or providing payment for documents filed with the agency.

We submit this notice pursuant to Section 1.1206(b) of the Commission's rules. Please do not hesitate to contact the undersigned with any questions regarding this submission.

Sincerely,

/s/ Matthew F. Wood

Matt Wood  
Policy Director  
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cc: Commissioner Ajit Pai  
Matthew Berry  
Gene Fullano